

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
September 6, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Anderson – Present
Commissioner Swain – Present
Commissioner Woodward – Present
Commissioner Russo - Absent
Chairman Backer – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Approval of the Minutes from the July 5, 2011 and the August 2, 2011 Planning Commission Meetings

ACTION: Commissioner Backer made a motion to approve the Minutes from the July 5, 2011 and the August 2, 2011 Planning Commission Meetings as transcribed. The motion was seconded by Commissioner Woodward.

VOTE: All in favor 6-0 With 1 Absent Motion carried

NEW BUSINESS:

Review Petition #11-13 Tax Parcel 1900-200-048

Jerry Searfass introduced himself as the owner of 5 Vilone Rd.

Chairman Lindell asked who was doing the construction of the deck.

Mr. Searfass stated a friend would be doing the construction.

Chairman Lindell made Mr. Searfass aware of the criteria the structure would have to meet in order to exist in the flood plain.

Commissioner Backer asked if the property was located in the 100 or 500-year flood plain.

Code Officer Swift informed him it was in the 100-year flood plain.

Commissioner Backer asked if the friend who is to build the deck is a contractor.

He stated that he works for a general contractor and has been for 5 years.

ACTION: A motion was made by Commissioner Swain to approve petition 11-13 provided they meet all requirements of Code and flood plain regulations. Commissioner Backer seconded the motion.

VOTE: All in favor 6-0 with 1 Absent Motion Carried

OLD BUSINESS:

Review of the Comprehensive Plan

Chairman Lindell asked Town Manager Giles if the Town had anything ongoing dealing with rehabilitation and upgrading of homes.

Mr. Giles stated that the Code review that is underway now will be asking Council to adopt the newer set of codes that includes an existing housing stock code. He went on to say there are 2 sets of the code. One deals with new construction and is the 2009 ICC Code. Included in that, will be a package there is an entire section dealing with existing homes due to the fact that they will not be able to meet the new codes.

Chairman Lindell stated he felt any issues regarding infill have been addressed and there were none opposed. He went on to ask Mr. Giles if there was anything from Code that needed to be addressed dealing with permit-ready housing.

Mr. Giles stated that the town was not interested in pursuing the states recommendation regarding permit-ready housing. He went on to say that he feels every case should be considered on its own merit by the Planning Commission and Board of Adjustment.

Commissioner Backer agreed with Mr. Giles.

Chairman Lindell stated the recommendation regarding re-greening is ongoing and additional re-greening can be addressed as those elements come forth to them. He went on to mention the recommendation regarding a walking path is already underway. He then moved on to the state's recommendation of alternative uses of parks.

Mr. Giles said he feels they need to look into this recommendation stating the town doesn't need 7 parks and it may be beneficial, in some circumstances, to open them up to residential homes.

Commissioner Swain stated he was under the impression that, if the town wanted to develop park land that was paid for with state money, they had to pay them back the money that was used to purchase it.

Mr. Giles said he's not sure what the final decision on that was, but he believes Mr. Swain is correct. He went on to say that the state does not allow the town to do so.

Commissioner Swain then asked why the state was recommending the town do something and not give them the ability to do so. He went on to ask Mr. Giles if he heard Council say they'd like to approach the situation in the past.

Mr. Giles said it was his understanding that it had been discussed when they were approached by a contractor, but at the time, there was no necessity to do so.

Commissioner Swain asked when that was.

Mr. Giles said about 3 years ago.

Commissioner Backer asked what the possibility of renting the space out to businesses with certain limitations, and added that other towns have them. (i.e. The Elks, The Moose, The Lions)

Mr. Giles said he would urge Council to not allow that to happen because it's the center point of the town, it's where people come in. He went on to say that when you open the door to some things, you can't close it to others.

Chairman Lindell went on to the recommendation regarding alternative forms of transportation.

Chairman Lindell moved onto the next recommendation of the state which was to review zoning. He said it has pretty much been done in the code part of the evaluation. He went on to say that many of the items were done through what Mr. Giles presented in the August Planning Commission Meeting.

Chairman Lindell then went on to the recommendation of converting Kirkwood Highway into the Town's Main Street.

Town Manager Giles stated they did this with the original Route 2 safety improvement project, and said that Del Dot was only willing to go so far with that. He stated they put in bump-outs and paint and such, but Del Dot has shown no interest in changing the speed on Kirkwood Highway. He went on to say that if the speed limit were lowered, a whole lot of things could happen business-wise.

Chairman Lindell went onto the next recommendation that deals with making the Town more inviting and east to navigate for consumers with the Town. Mr. Lindell then asked Mr. Giles what has been discussed in the business meetings regarding this matter.

Town Manager Giles stated that many of the businesses in the community very much want signs and things of that matter. He went on to mention the businesses back on B&O Lane and Angerstein's would like a directory of some sort. He pointed out that there is no place really to stop on Kirkwood Highway to look at a directory though. He went on to say that some of the land that would probably be looked at for signage, such as the Del Dot right-of-way, the Town does not own. He stated that he's pretty confident that the businesses that want the directory at the entrance to B&O will get it with the help of some funds from the Town as well as the business owners themselves.

Commissioner Swain asked if Mr. Giles and the Chairman of the Planning Commission told them at the State Planning Office that the Town would love to do these things if Del Dot would reduce the speed limit on Kirkwood Highway.

Mr. Giles and Commissioner Backer stated they had indeed done so numerous times.

Councilman Berg said that when he was on the Planning Commission, it was part of his plan to do this same thing. He stated he contacted 10 people from Del Dot and they always just send him the same copy of the same letter dated from 1994 over and over.

Commissioner Swain suggested they just keep informing them about what they're trying to do with Kirkwood Highway.

Mr. Giles said to just put in the report that the Town agrees with the Main Street idea and program, but until Del Dot agrees to reduce the speed on Kirkwood Highway, it's pointless.

Chairman Lindell moved onto the recommendation dealing with annexation and said it was addressed during the code part of the review.

Chairman Lindell then went on to the next recommendation the deals with considering State and County resources for historic preservation redevelopment, and historic overlay districts.

Town Manager Giles said they have not approached Council on the matter, but Council will have to tell them whether or not they want a historic overlay and all that involves.

He went on to say it may involve a Historic Preservation Committee and said that New Castle City has a strict Historic Preservation Committee. He then said he doesn't feel that it's a bad idea, but doesn't want to create an entire Commission for the issue.

Commissioner Backer stated that it would be better to go with the historic overlay because then nothing could fall back on the town funding wise.

Chairman Lindell went on to the last recommendation for the night dealing with direct development and making sure new development is consistent with the residential character of the town. He read the recommendation, saying 2 ways to achieve this would include architectural guidelines and a design and review board.

Town Manager Giles stated that would be another layer of government whose function is already handled by the Planning Commission. He went on to say that if the Planning Commission would like him to approach Council about it though, he certainly would. He added that he didn't know where they would find anyone to fill an architectural committee though.

Commissioner Swain stated he felt there was no need for another commission or committee because the Planning Commission already reviews all the plans that come through.

Mr. Giles agreed and said they'd tell the state that they feel the Planning Commission is sufficient in handling these matters.

Town Manager Giles said he would like for Chairman Lindell to draft a response to the state so they can go over it in the October meeting, and then make changes to it in November.

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Backer to adjourn. Commissioner Swain seconded the motion.

VOTE: All in favor 6-0 with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the August 2, 2011 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

CHARLES LINDELL, CHAIRMAN

LEON BACKER, SECRETARY